

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CHARLES RASO, TRUSTEE OF THE )  
MASSACHUSETTS BRICKLAYERS AND )  
MASONS HEALTH AND WELFARE, )  
PENSION AND ANNUITY FUNDS, )  
 )  
*Plaintiff,* )  
 )  
v. )  
 )  
STONEWORKS BY RAND, ) Civil Action No. 03-12535-RCL  
 )  
*Defendant.* )  
 )

**DEFENDANT'S LOCAL RULE 16.1 (D)(3) CERTIFICATION**

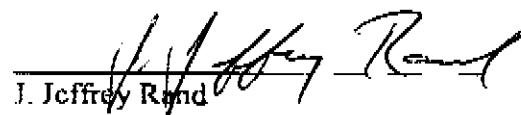
Pursuant to Local Rule 16.1(D)(3), Defendant, Stoneworks by Rand, and the undersigned counsel hereby certify that they have conferred:

- (a) With a view to establishing a budget for the costs of conducting the full course and various alternative courses of the litigation; and,
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Counsel for Defendant,

  
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Daniel J. Blake (BBO #552922)  
Heather C. Krauss (BBO #644457)  
EPSTEIN BECKER & GREEN, P.C.  
111 Huntington Avenue  
Boston, MA 02199

STONEWORKS BY RAND,

  
\_\_\_\_\_  
J. Jeffrey Rand

DATED: MAR. 2.04